

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference SP 68		FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/009913	International filing date (day/month/year) 12.07.2004	Priority date (day/month/year) 07.08.2003	
International Patent Classification (IPC) or national classification and IPC G06F17/60, H04L9/08, H04M3/42, 11/08, H04N7/16, 7/173			
Applicant SHARP KABUSHIKI KAISHA			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>3</u> sheets, as follows:</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																	
<p>4. This report contains indications relating to the following items:</p> <table border="0"> <tr> <td><input checked="" type="checkbox"/> Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/> Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/> Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/> Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/> Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/> Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/> Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/> Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>		<input checked="" type="checkbox"/> Box No. I	Basis of the report	<input type="checkbox"/> Box No. II	Priority	<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/> Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/> Box No. VI	Certain documents cited	<input type="checkbox"/> Box No. VII	Certain defects in the international application	<input type="checkbox"/> Box No. VIII	Certain observations on the international application
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Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I	Basis of the report
1.	<p>With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:</p> <p><input type="checkbox"/> international search (Rule 12.3 and 23.1(b))</p> <p><input type="checkbox"/> publication of the international application (Rule 12.4)</p> <p><input type="checkbox"/> international preliminary examination (Rule 55.2 and/or 55.3)</p>
2.	<p>With regard to the elements of the international application, this report is based on <i>(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)</i>:</p> <p><input type="checkbox"/> the international application as originally filed/furnished</p> <p><input checked="" type="checkbox"/> the description:</p> <p>pages <u>1-24</u> _____ as originally filed/furnished</p> <p>pages* _____ received by this Authority on _____</p> <p>pages* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the claims:</p> <p>nos. <u>12, 13</u> _____ as originally filed/furnished</p> <p>nos.* _____ as amended (together with any statement) under Article 19</p> <p>nos.* <u>1-11</u> _____ received by this Authority on <u>01.06.2005</u></p> <p>nos.* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the drawings:</p> <p>sheets <u>fig. 1-16</u> _____ as originally filed/furnished</p> <p>sheets* _____ received by this Authority on _____</p> <p>sheets* _____ received by this Authority on _____</p> <p><input type="checkbox"/> a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.</p>
3.	<p><input type="checkbox"/> The amendments have resulted in the cancellation of:</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p>
4.	<p><input type="checkbox"/> This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p>

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
1. Statement	
Novelty (N)	Claims <u>1-13</u> YES Claims _____ NO
Inventive step (IS)	Claims _____ YES Claims <u>1-13</u> NO
Industrial applicability (IA)	Claims <u>1-13</u> YES Claims _____ NO
2. Citations and explanations (Rule 70.7)	
	Document 1: JP 2003-111045 A (Sony Communication Network Kabushiki Kaisha), 11 April 2003 Document 2: JP 2002-32668 A (Sony Corp.), 31 January 2002 Document 3: JP 2002-281011 A (Nippon Telegraph And Telephone Corp.), 27 September 2002 Document 4: JP 2002-149061 A (NEC Corp.), 15 November 2002
	<p>The inventions set forth in claims 1, 2, 12 and 13 do not involve an inventive step in the light of document 1 and document 2 cited in the international search report. Document 1 discloses a technical feature wherein information that specifies a song and the ID information for a pre-paid card is transmitted to an ID management server, whereafter the ID management server manages the balance of the pre-paid card and transmits data that allows the reproduction of said music data to a user's player in cases when said balance is not less than the purchase price of the song. Meanwhile, document 2 discloses a technical feature whereby a key for decrypting encrypted content is transmitted to the user device from the content server or the authentication/accounting server in cases when the pre-paid data is not</p>

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citations and explanations supporting such statement

less than a prescribed numerical value, and said encrypted content is decrypted by means of said decryption key each time the content is to be used. As a result, it would have been easy for a person skilled in the art to conceive of configuring the invention that is set forth in claims 1 and 2 by combining the technical feature that is disclosed in document 1 and the technical feature that is disclosed in document 2.

The inventions set forth in claims 3 to 11 do not involve an inventive step in the light of documents 1 and 2 and documents 3 and 4 cited in the international search report. Document 3 discloses a technical feature wherein a data device terminal that has been installed in a store transmits the ID of the content that has been encrypted and recorded upon a card medium to a data management center, whereafter said data management center transmits a key for decrypting said content to said data device terminal and said key is recorded upon said card medium. Therein, the technical feature that is disclosed in document 3 includes configurations wherein a user selects the sets of content that s/he desires to use from among the plurality of sets of content that have been recorded upon said card medium, the decryption keys that correspond to said selected sets of content are acquired and recorded upon said card medium, and then said sets of content are used by employing the decryption keys that have been recorded upon said card medium; therefore, it would have been obvious to a person skilled in the art to conceive of associating said content ID(s) with said decryption key(s) and then record said content ID(s) and said decryption key(s) upon said card medium. Therein, configuring so that the medium for recording the (sets

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
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of) content and the medium for recording the decryption key(s) are the same medium or are different media is merely a design matter that could have been configured by a person skilled in the art, as appropriate (if necessary, refer to document 4). In addition, configuring so that the user device records the content ID(s) upon the card is also merely a design matter that could have been configured by a person skilled in the art, as appropriate.